

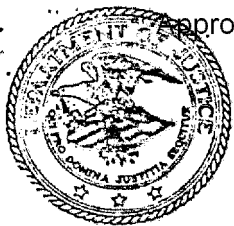
OS REGISTRY
FILE *Legal 3*
EO-12036
Section 1
(1-706)

Also: Memo of Understanding

TRANSMITTAL SLIP		DATE
TO: <i>D/SEC</i>		<i>2/27/79</i>
ROOM NO.	BUILDING	
	<i>FY-1</i>	
REMARKS:		
<i>FYI</i>		
<i>OS 9 0593</i>		
FROM: <i>OGC -</i>		
ROOM NO. <i>7007</i>	BUILDING	
FORM NO. 241 1 FEB 55		
REPLACES FORM 30-B WHICH MAY BE USED.		
(47)		

STAT

DOJ Review Completed



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Office of the Attorney General
Washington, D. C. 20530

o6c 77-01871

2-27-79

February 20, 1979

Honorable Stansfield Turner
Director of Central Intelligence
Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

Enclosed herewith is a signed copy of the revised version of the Memorandum of Understanding governing the reporting of violations of federal criminal law as required by 28 U.S.C. § 535 and Executive Order 12036, § 1-706. As your letter of November 21, 1978 points out, the revisions of paragraphs six through eight are in response to concerns expressed by the Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations.

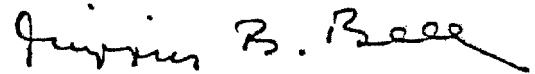
The Federal Bureau of Investigation has raised questions concerning the scope of the preliminary inquiry that the CIA is required to conduct by paragraph 2 of both the original and revised memorandum. As you know, the Memorandum of Understanding was occasioned by E. O. 11905, § 4(a)(5). That section was not intended to authorize new collection activity, but only to permit dissemination of incidentally acquired information. Accordingly, the MOU was not intended to affect the CIA's authority to collect information concerning federal offenses.

The proper scope of a preliminary inquiry is being addressed in the drafting of procedures under E.O. 12036, § 1-706 governing the reporting of federal crimes by all agencies in the intelligence community. In the interim, my interpretation of the Memorandum of Understanding, consistent with the history of E.O. 11905, is that a preliminary inquiry shall be limited to interviews with current CIA employees, observation of current CIA employees on premises occupied by the Agency, and examination

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of the records of the CIA and other federal agencies. The Memorandum of Understanding does not require or authorize CIA to collect information relating to the commission of a federal offense by other means.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Griffin B. Bell".

Griffin B. Bell
Attorney General

cc: William H. Webster
Director, FBI

Enclosure